

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: LIAO et al. Docket No.: 372465-01801
Serial No.: 10/784,113 Group Art Unit: 2676
Filed: February 20, 2004 Examiner: Not yet assigned
For: **APPROXIMATION OF LEVEL OF DETAIL CALCULATION IN CUBIC MAPPING
WITHOUT ATTRIBUTE DELTA FUNCTION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.47(a)
INVENTOR REFUSES TO JOIN**

Dear Sir:

This is a Petition Alleging Refusal To Join under Rule 47(a) in the above-identified patent application.

1. Inventor Zhou (Mike) Hong's last known address is 11512 Country Spring Court, Cupertino, California 95014.
2. A copy of the application papers (specification, including claims, drawings, Declaration and Assignment) was sent on July 1, 2004, by Federal Express, to inventor Hong's last known address for signature. A copy of the Federal Express shipping label is attached as Exhibit A.
3. It appears that inventor Hong received the Federal Express shipment on July 2, 2004. Proof of delivery is attached as Exhibit B.
4. A cover letter was sent to inventor Hong indicating that the inventor should review the application and execute the provided Declarations and Assignments by July 14, 2004 (See attached Exhibit C).
5. The date for responding to the Notice of Missing Parts is July 14, 2004, and was clearly disclosed to inventor Hong in the cover letter.
6. As of the date of submission of this petition, inventor Hong has not responded in any way to the shipment, though such response by telephone, facsimile, or email was and is certainly available to inventor Hong. A prepared Federal Express shipping label

and envelope was provided for inventor Hong to return the requested documents (See Exhibit D).

7. The other named inventor, Qun Feng (Fred) Liao, has signed a declaration for the above-mentioned application which was filed with the original application on February 20, 2004. We are filing a copy of this declaration herewith.
8. Waiting beyond the July 14, 2004 deadline for the inventor to respond is incurring increasing costs to the client.

Therefore, the signing applicant Liao concludes that Mr. Hong, by his conduct, is refusing to join the above-application, and requests that the Office deem the application completed and ready for prosecution.

Respectfully submitted,



Anthony B. Diepenbrock III
Registration No. 39,960

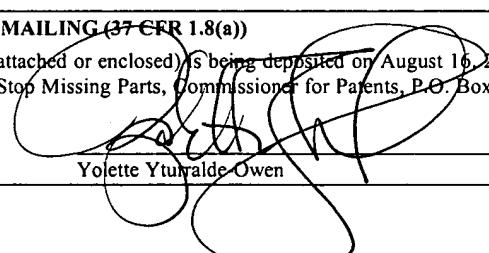
Date: August 16 2004

DECHERT LLP
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CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on August 16, 2004, with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: August 16, 2004



Yolette Yturralde-Owen

From: Origin ID: (650)813-4917
 Yolette Ylralde-Owen
 DECHERT LLP
 975 PAGE MILL ROAD
 PALO ALTO, CA 94304

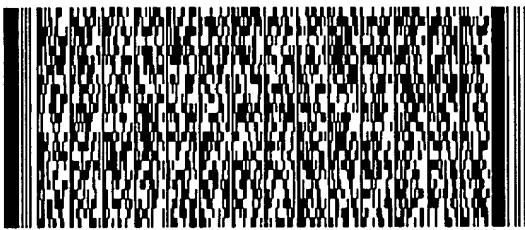


Ship Date: 01JUL04
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SHIP TO: (000)000-0000 BILL SENDER
Zhou (Mike) Hong

11512 Country Spring Court
 Cupertino, CA 95014



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FRI

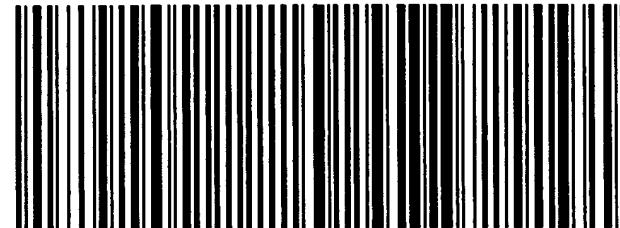
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Shipping Label: Your shipment is complete

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3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Yturralde-Owen, Yolette

From: FedEx [donotreply@fedex.com]
Sent: Friday, July 02, 2004 10:10 AM
To: yolette.yturralde-owen@dechert.com
Subject: FedEx shipment 790195606005

Our records indicate that the shipment sent from Yolette Yturralde-Owen/DECHERT LLP to Zhou (Mike) Hong has been delivered.

The package was delivered on 07/02/2004 at 10:06 AM and signed for or released by 14626150.

The ship date of the shipment was 07/01/2004.

The tracking number of this shipment was 790195606005.

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July 1, 2004

VIA FEDERAL EXPRESS

BOSTON

Zhou (Mike) Hong
11512 Country Spring Court
Cupertino, CA 95014

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PRINCETON

SAN FRANCISCO

WASHINGTON

Re: U.S. Patent Application Serial No. 10/784,113

Filed: February 20, 2004

**Entitled: APPROXIMATION OF LEVEL OF DETAIL CALCULATION IN CUBIC
MAPPING WITHOUT ATTRIBUTE DELTA FUNCTION**

Our Ref: 372465-01801 (344864)

Dear Mr. Hong:

The U.S. Patent and Trademark Office has assigned the serial number and filing date indicated above to the subject patent application. However, because we filed the application without a signed Declaration, we have now received the enclosed Notice to File Missing Parts of Application. To complete the filing process, we must now file a Declaration, Power of Attorney & Petition which references the application by serial number and filing date. The deadline for complying with this directive is July 14, 2004.

As previously sent to you on February 9, 2004, enclosed is another copy of the subject application for review before you execute the three enclosed Declarations. We are also enclosing three Assignment documents to VIA Technologies, Inc. for your signature at the same time. Upon execution please forward these documents back to our office in the enclosed Federal Express envelope addressed to our office for your convenience.

Please note that the enclosed documents are of confidential and proprietary property of VIA Technologies, Inc. and should not be viewed by anyone other than yourself.

If you have any questions regarding any of the above, please feel free to me at 650.813.4856.

Very truly yours,



Anthony B. Diepenbrock III

*ABD/yyo
Enclosure*

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